

AO 399 (01/09) Waiver of the Service of Summons [MODIFIED]

# UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Duplin County NC

Plaintiff

v.

Amerisourcebergen Drug Corp., et al.

Defendant

Civil Action No. 1:19-op-45040

## WAIVER OF THE SERVICE OF SUMMONS

To: JAMES C. PETERSON

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 6/10/2019

CVS HEALTH CORPORATION

Printed name of party waiving service of summons



Signature of the attorney or unrepresented party

Jason Acton

Printed name

Zuckerman Spaeder LLP

1800 M Street N.W., Suite 1000

Washington, DC 20036

Address

jacton@zuckerman.com

E-mail address

(202) 778-1860

Telephone number

### Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 399 (01/09) Waiver of the Service of Summons

## UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

<u>Duplin County, NC</u>	)	
<i>Plaintiff</i>	)	
v.	)	
<u>Amerisourcebergen Drug Corp., et al.</u>	)	Civil Action No. 1:19-op-45040
<i>Defendant</i>	)	

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

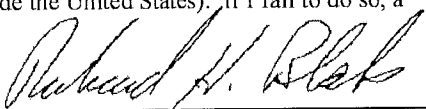
I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/04/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 9-6-19

North Carolina Mutual Wholesale Drug  
*Printed name of party waiving service of summons*

  
*Signature of the attorney or unrepresented party*

Richard H. Blake  
*Printed Name*

McDonald Hopkins LLC  
600 Superior Avenue, East - Suite 2100  
Cleveland, OH 44114  
*Address*

rblake@mcdonaldhopkins.com  
*E-mail Address*

216-348-5839  
*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Duplin County, NC

Plaintiff

v.

Amerisourcebergen Drug Corp., et al.

Defendant

Civil Action No. 1:19-op-45040

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 05/20/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 06/18/2019

Par Pharmaceutical Companies, Inc.

Printed name of party waiving service of summons

/s/ Sean Morris

Signature of the attorney or unrepresented party

Sean Morris

Printed Name

Arnold & Porter Kaye Scholer LLP  
777 S. Figueroa Street, 44th Floor  
Los Angeles, CA 90017

Address

sean.morris@arnoldporter.com

E-mail Address

213-243-4000

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Duplin County, NC

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

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Civil Action No. 1:19-op-45040

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 05/20/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 06/18/2019

Par Pharmaceutical, Inc.

*Printed name of party waiving service of summons*

/s/ Sean Morris

*Signature of the attorney or unrepresented party*

Sean Morris

*Printed Name*

Arnold & Porter Kaye Scholer LLP  
777 S. Figueroa Street, 44th Floor  
Los Angeles, CA 90017

*Address*

sean.morris@arnoldporter.com

*E-mail Address*

213-243-4000

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 399 (01/09) Waiver of the Service of Summons

# UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Duplin County, NC

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45040

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.


I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 05/20/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 6/19/19

SpecGX LLC

*Printed name of party waiving service of summons*

  
*Signature of the attorney or unrepresented party*

Andrew O'Connor

*Printed Name*

Ropes & Gray LLP  
Prudential Towner 800 Boylston Street  
Boston, MA 617-951-7000

*Address*

Andrew.O'Connor@ropesgray.com

*E-mail Address*

617-951-7000

*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

**MODIFIED**

AO 399 (01/09) Waiver of the Service of Summons

**UNITED STATES DISTRICT COURT**

for the

Northern District of Ohio

<u>Duplin County NC</u>	)	
<i>Plaintiff</i>	)	
v.	)	Civil Action No. 1:19-op-45040
<u>Amerisourcebergen Drug Corp., et al.</u>	)	
<i>Defendant</i>	)	

**WAIVER OF THE SERVICE OF SUMMONS**

To: JAMES C. PETERSON  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 6/11/2019

/s/ Tara A. Fumerton  
*Signature of the attorney or unrepresented party*

Walmart Inc. or Wal-Mart Stores East, LP  
*Printed name of party waiving service of summons*

Tara A. Fumerton  
*Printed name*

Jones Day  
 77 W. Wacker Dr.  
 Chicago, IL 60601  
*Address*

tfumerton@jonesday.com  
*E-mail address*

(312) 782-3939  
*Telephone number*

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

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AO 399 (01/09) Waiver of the Service of Summons - MODIFIED

# UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Duplin County NC

Plaintiff

v.

Amerisourcebergen Drug Corporation, et al.

Defendant

Civil Action No. 1:19-op-45040

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson

(Name of the plaintiff's attorney or unrepresented plaintiff)


I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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Date: June 5, 2019

  
Signature of the attorney or unrepresented party

Walgreens Boots Alliance, Inc.

Printed name of party waiving service of summons

Kaspar J. Stoffelmayr

Printed name

Bartlit Beck Herman Palenchar & Scott LLP  
54 W. Hubbard St., Ste. 300  
Chicago, IL 60654

Address

kaspar.stoffelmayr@bartlit-beck.com

E-mail address

(312) 494-4400

Telephone number

## Duty to Avoid Unnecessary Expenses of Serving a Summons

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AO 399 (01/09) Waiver of the Service of Summons

## UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Duplin County NC

Plaintiff

v.

Amerisourcebergen Drup Corp., et al.

Defendant

Civil Action No. MDL 2804; 1:17-md-02804

CA No.: 1:19-op-45040

## WAIVER OF THE SERVICE OF SUMMONS

To: JAMES C. PETERSON  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 6/18/2019

Hikma Pharmaceuticals USA Inc.,  
f/k/a West-Ward Pharmaceuticals Corp.  
Printed name of party waiving service of summonss/ Christopher Essig  
Signature of the attorney or unrepresented partyChristopher Essig  
Printed nameWINSTON & STRAWN LLP  
35 W. Wacker Drive  
Chicago, IL 60601  
AddressCEssig@winston.com  
E-mail address(312) 558-5600  
Telephone number

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

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